

Chapter 3 Public Review and Comments

This Initial Study was made available to the public for 30 days, during which time comments were made. Following the 30-day circulation period, comments are addressed in this section of the document.

On July 30, 2003, Caltrans and FHWA distributed the draft Initial Study (IS) for the State Route (SR) 32 at Kennedy Avenue project. The draft IS was available for review from July 31, 2003 until August 29, 2003. Caltrans sent a notice regarding availability of the draft IS to 23 adjacent property owners. Copies of the document were sent to six different public entities/officials, including the Butte County Library in Chico. A public notice describing the proposed project and stating availability of the draft IS for review appeared in the Enterprise Record on July 31, 2003.


All comments to the draft IS received during the public review period and responses to comments are presented in this chapter. Each comment and response is reproduced in its entirety in the pages that follow. Letters containing more than one general comment are assigned a numeric value for each comment and corresponding response. The following individuals provided written comments on the draft IS:

List of Commenters:

Date of Comment:

- | | |
|---|--|
| 1. Brian Uecker | August 8, 2003 |
| 2. Lola Seipert | August 12, 2003 |
| 3. Serena Gualotuña | not dated – postmarked August 22, 2003 |
| 4. David Teeter | not dated – postmarked August 23, 2003 |
| 5. G.M. Herseth / Doris Dianne McWilliams | August 28, 2003 |
| 6. Derek A. Smith / Karen M. Kolb-Smith | August 28, 2003 |
| 7. Harold Smith | August 28, 2003 |
| 8. Sonsor Smith | not dated – postmarked August 30, 2003 |
| 9. State Clearinghouse | September 2, 2003 |
| 10. Law Office of Leverenz & Ferris | September 16, 2003 |

3.1 Public Notice



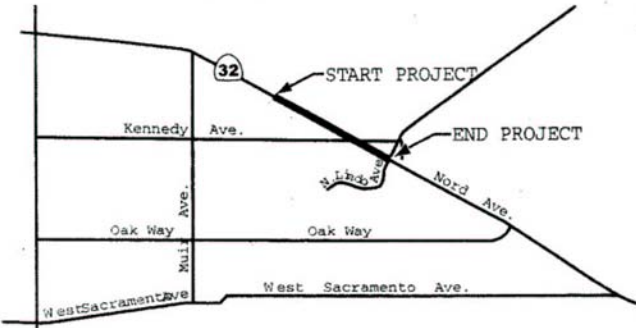
State of California • Department of Transportation

PUBLIC NOTICE

NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION

WHAT IS PLANNED

The California Department of Transportation (Caltrans) is proposing to widen State Route (SR) 32 in the City of Chico. The project will install a two-way left turn lane (TWLTL) from just west of East Avenue through Kennedy Avenue to match an existing TWLTL west of Kennedy Avenue. The project will also realign the southern leg of Kennedy Avenue to a "T" intersection. The purpose of this project is to improve safety along this portion of SR 32.



START PROJECT

END PROJECT

WHY THIS NOTICE

Caltrans has studied the effects this project may have on the environment. This project will have a less than significant impact on noise and visual and community resources.

WHAT IS AVAILABLE

The environmental document, referred to as a Draft Initial Study is available for review and copying on weekdays between 8 a.m. and 4 p.m. at the Caltrans Office of Environmental Management, 2389 Gateway Oaks Drive, Sacramento, CA 95833 and will be online at <http://www.dot.ca.gov/dist3/departments/envinternet/envdoc.htm>. It is also available at the Butte County Library, 1108 Sherman Avenue, Chico, CA 95926.

SPECIAL ACCOMMODATIONS

For individuals with sensory disabilities, this document can be made available in Braille, large print, audio, audiocassette or computer disk. To obtain a copy in one of these alternate formats, please call or write: Leslie Case, Public Information Officer, Caltrans – District 3, 703 B Street, Marysville, CA 95901, (530) 741-4571 (voice phone) or (530) 741-4509 (TTY).

COMMENTS

Please submit your written comments to Caltrans, Office of Environmental Management, 2389 Gateway Oaks Drive, Sacramento, CA 95833, ATTN: Brenda Powell-Jones. All comments must be received by August 31, 2003. For more information about this project, please call Jennifer Clark, Office of Environmental Management, at (916) 274-0572 or Brenda Powell-Jones, at (916) 274-0577.

07/03

3.2 Comments / Responses to Comments

Commenter #1:

BRIAN UECKER
2576 HWY 32
CHICO CA 95973
530-893-8474

AUGUST 8, 2003

CAL TRANS CHER DANIELS, CHIEF
OFFICE OF ENVIRONMENTAL MANAGEMENT
ATTN: BRENDA POWELL-JONES

We are writing in response to a letter we received about a project in front of our place of business. We are very concerned about the effects this project will have on our property and our business. We own the majority of the property on the north side of Hwy 32 in this proposed area.

This letter mentions that they intend to put in a turning lane and a shoulder area along this stretch of road. We are not sure how they plan to do this without taking out over 100 feet of recently laid sidewalk and gutters along one section of this property. Our corporation owns a commercial business office and a car dealership along this stretch of highway and it is the highway frontage and access that makes these businesses a success, and the property valuable.

We are concerned about losing our ability to drive and too park in front of our dealership along the shoulder of the highway, this is essential to our business. We also fear that you may remove the street poles which hold our flood lights so we can stay open in the evening, they also prevent vandalism and car theft.

1a



1b

We do not want to stand in the way of progress but these concerns are bothering us and we need to be aware of what changes are planned that will affect us. Please contact us at 530-899-1187 or by mail at the above address.

Thank you

Brian Uecker
Pres.

Response to commenter #1:

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY		GRAY DAVIS, Governor
DEPARTMENT OF TRANSPORTATION DISTRICT 3, SACRAMENTO OFFICE, MS 15 2389 GATEWAY OAKS DRIVE, SUITE 100 SACRAMENTO, CA 95833 PHONE (916) 274-0568 FAX (916) 274-0602 TTY (530) 741-4509		 <i>Flex your power! Be energy efficient!</i>
September 25, 2003		
Brian Uecker 2576 Highway 32 Chico, CA 95973		
Dear Mr. Uecker:		
Thank you for sending in your comments and your telephone call regarding the proposed project on State Route 32 (SR 32) at Kennedy Avenue in Butte County (EA 03-4A4400). In particular, your concerns regarding highway frontage and access and to lighting are noted.		
1a	As indicated in the telephone conversation of August 8, 2003 you had with Caltrans Environmental Coordinator Jennifer Clark, in constructing this project, sidewalks and gutters in front of your business will not need to be removed and therefore should not reduce highway frontage or reduce access to your business. We are still investigating whether or not the utility poles in front of your business will need to be relocated; we should know this within the next few weeks. We are doing everything possible to minimize potential impacts to the poles, which also hold your safety lighting. Caltrans will keep you posted of any future changes that may occur with this project.	
1b		
We thank you again for your comments, and we look forward to successful completion of this important safety improvement project. If you have any further questions or concerns about this project, please feel free to contact me at 916-274-0568; Cindy Anderson, interim Environmental Coordinator for the project, at 916-274-0624; or Doug Lange, Assistant Project Manager, at 530-741-4465.		
Sincerely,		
 CHER DANIELS, Chief North Region Office of Environmental Management S-1		
c: Cindy Anderson, interim Environmental Coordinator Jennifer Clark, Environmental Coordinator Doug Lange, Assistant Project Manager Sukhwinder Bajwa, Project Manager		
<i>"Caltrans improves mobility across California"</i>		

Commenter #2:

Aug 12, 2003

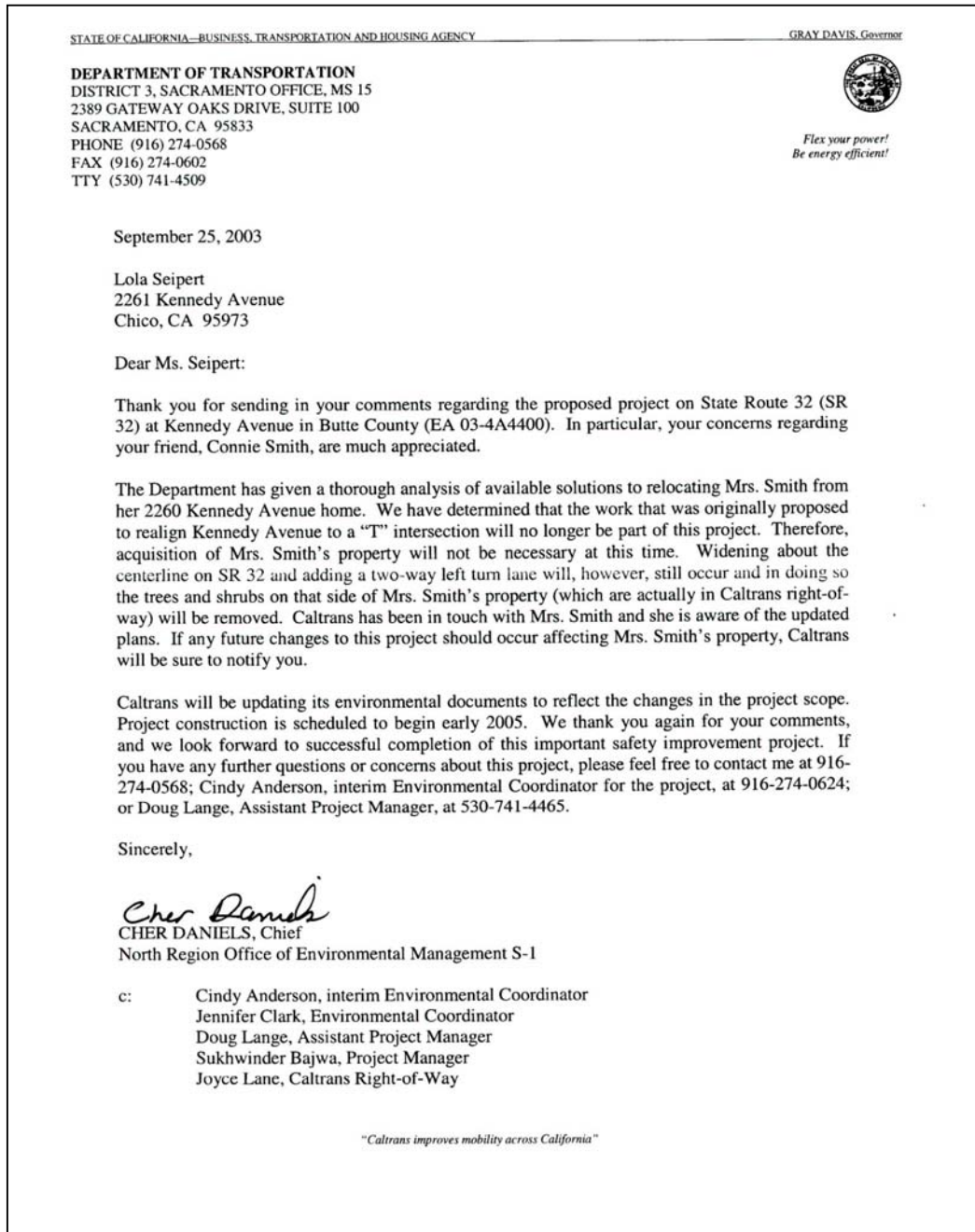
California Dept. of Transportation
 Chris Daniels
 2389 Gateway Oaks Dr.
 Sacramento, Ca 95833
 Attention: Brenda Powell-Jones

Dear Sirs,

I am writing in regard to the proposed project on Highway 32 and Kennedy in Chico, Ca. Constance Smith lives in the V Section in a small home and lovely yard. Connie and her husband, Richard, moved into this home on their wedding day and have remained there for 60 years. Mr. Smith passed away, but Connie would not consider leaving their home. She loves it. She tries hard to keep the lawns and flowers beautiful. She rarely leaves this home except for shopping and business appointments. Connie is kind and generous and loved by the people in the neighborhood. When Connie received the message that her home would be taken to change the Highway she was devastated. She is so stressed and upset she can't sleep. She cries and is so nervous and unhappy. Connie is 88 years old. Moving is a frightening and heart breaking experience. What to do! Connie will not be here much longer. The worry and anxiety is taking its toll. Can't you please wait a little to complete this project and let this dear lady die at peace in her own home? Thank you

Sincerely,
 Lala Seipert

Response to commenter #2:



Commenter #3:

08-26-03P12:03 PM

1621 Timber Lane
Paradise, CA. 95969
8-21-03

California Department of Transportation
Cher Daniels, Chief
Office of Environmental Management-S1
2389 Gateway Oaks Drive
Sacramento, CA 95833
ATTN: Brenda Powell-Jones

Dear Ms. Powell-Jones,

As Connie Smith's friend for 16 years, I'm hoping that Caltrans will find another solution to its traffic problem other than removing Connie's home. In this letter, I would like to appeal to your sense of humanity as well as offer some possible solutions.

Connie is 88 or 89 years old, has lived in her home for almost 60 years, among other health issues, has heart problems, and has been very upset since Caltrans informed her of their intentions (so much so that she ended up in the hospital shortly after receiving the news).

I have read the Initial Study on your website and see that all other solutions (conceived thus far) have been rejected. I have contacted a retired civil engineer who may be able to come up with other solutions to solve the problem for both commuters and Connie. If he has any ideas, he will contact you. (Last year, on behalf of some Chico home owners, this retired civil engineer was able to settle a dispute between the home owners and the City of Chico Street Department, by suggesting a plan that was even more efficient than the City's original plan, and which only minimally impacted the home owners.)

I also have an idea which, if it were to work, could save a lot of money, and even more importantly, could save Connie's house: at peak traffic times, a Highway Patrol officer could be parked on Highway 32 several hundred yards southeast of Kennedy Avenue, a lowered speed sign, perhaps with a flashing red light, could be posted, and buttons could be put in the road to alert traffic to the slowdown. In addition, an electrically lighted sign could read "Use extreme caution. Slow to 25mph." [or whatever speed deemed safe]. You could implement these fairly minor and inexpensive changes immediately. If you found they worked adequately, you wouldn't have to perform "major surgery" at all. In any event, this could be a permanent solution, or, at least, a temporary one until Connie got to the point where she was incapable of living on her own and had to move out anyway, or until her death.

Jennifer Clark informed me that unless the money for this project is used within a specified time frame, Caltrans will lose it. I hope that that fact does not interfere with the integrity of the decision. Remember, the quality of life of a vulnerable human being is in jeopardy. Perhaps, according to your report, there is "no impact" on the "elderly"

because it effects "only" one person, but the effect to Connie is immense due to her advanced age, state of health, and longevity in that house.

I am hoping that the removal of Connie's house can be avoided or at least postponed until she no longer needs to live there.

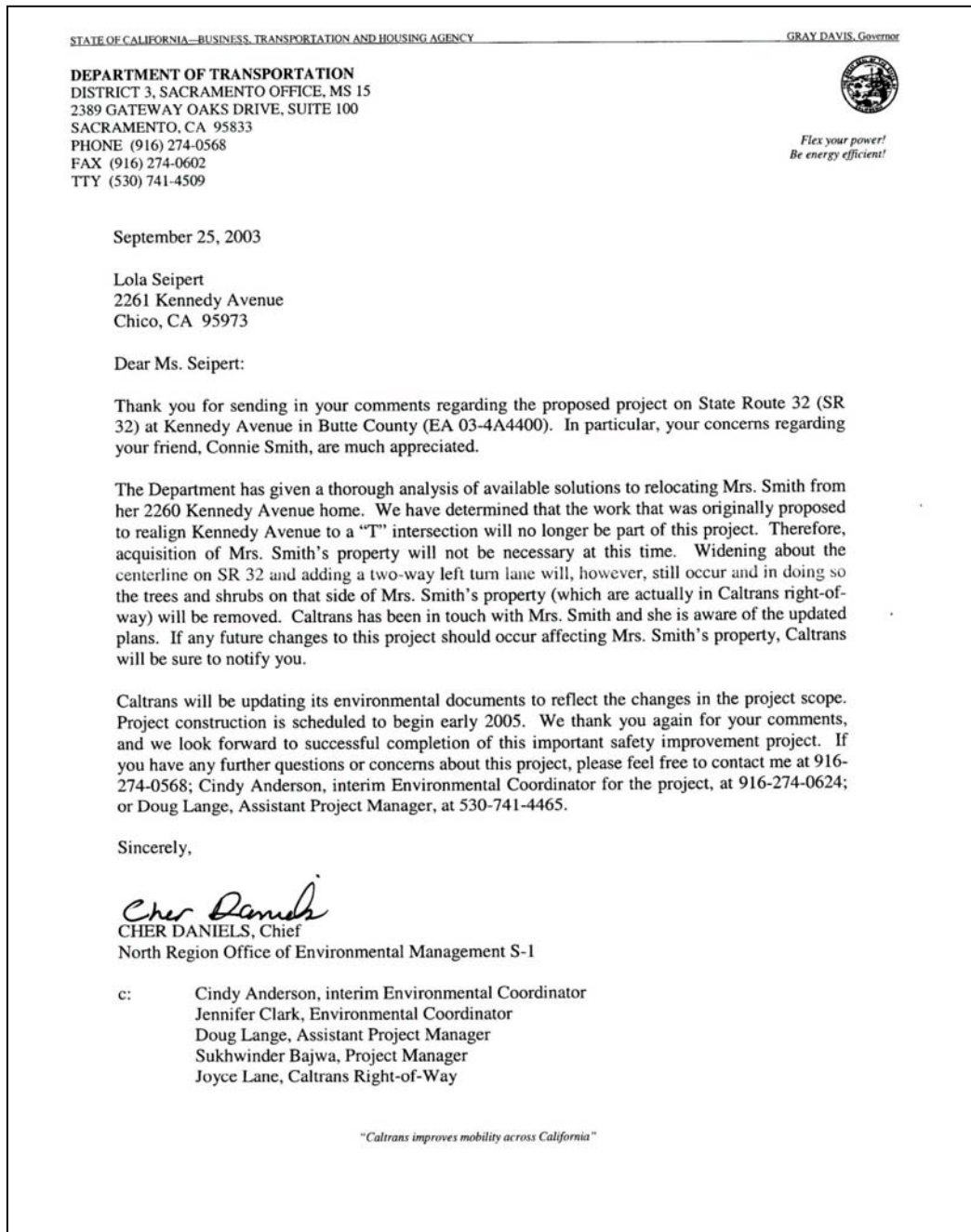
Remember, a society is ultimately judged by the way it treats its most vulnerable member

Thank you for your time; I ask for your consideration

Sincerely,
Serena Gualotuna

Serena Gualotuna
(530) 872-3136
cyranoemail@yahoo.com

Response to commenter #3:



Commenter #4:

TO: CAL-TRANS/
WHOM IT MAY CONCERN

ON BEHALF OF: CONSTANCE SMITH
2260 KENNEDY AVE
CHICO, CA 95973

- MY NAME IS DAVID L. TEETER

I AM TRYING TO FIGURE OUT, WHY
WAS CONNIE SMITH ONLY NOTIFIED THIS
YEAR-ABOUT CAL TRANS WANTING TO PUT
A ROAD RIGHT THROUGH MRS. SMITH'S
PROPERTY. ESPECIALLY SINCE THIS PLAN
HAS BEEN ON THE TABLE FOR TWO YEARS
NOW.

CAL TRANS DOES NOT HAVE THE
RIGHT TO FORCE A RESIDENT OF 57 YEARS
OFF HER PROPERTY FOR A INSIGNIFICANT
ROAD ADJUSTMENT. MRS SMITH IS A
WIDOW OF RICHARD SMITH WHO PASSED
AWAY ABOUT 3 YEARS AGO. MRS SMITH
IS NOW 88 YEARS YOUNG, SHE SEEMS
TO BE ACTIVE, MOBIL, AND SHARP AS A
RAZOR. IT WOULD BE A SHAME IF THIS
PROPOSAL GOES THROUGH BECAUSE, THIS
MIGHT JUST STEAL ANY AND ALL HOPE
REMAINING IN MRS. SMITH.

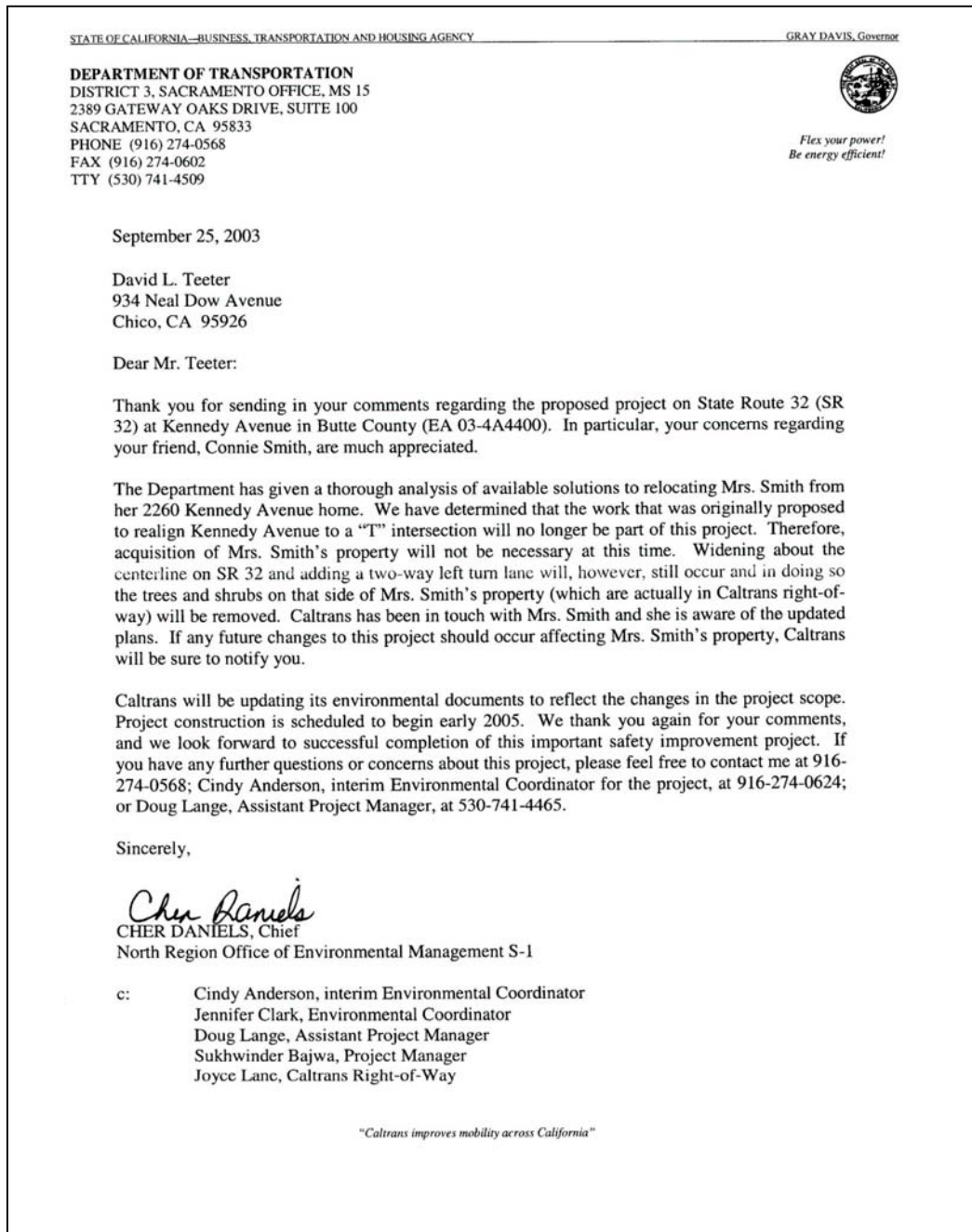
CAL-TRANS IS A BRANCH OF OUR
STATE GOV. AS STATE LANDSCAPERS. (OVER)

AND IF YOU ASK ANYONE, THE
RESULT WOULD BE HANDS DOWN MRS.
SMITH HAS A RIGHT TO BE THERE
UNTIL SHE WANTS TO LEAVE.
HONESTLY, HOW MUCH LONGER IS
MRS SMITH GOING TO LIVE, NOT A
LOT MORE, LEAVE HER IN PEACE

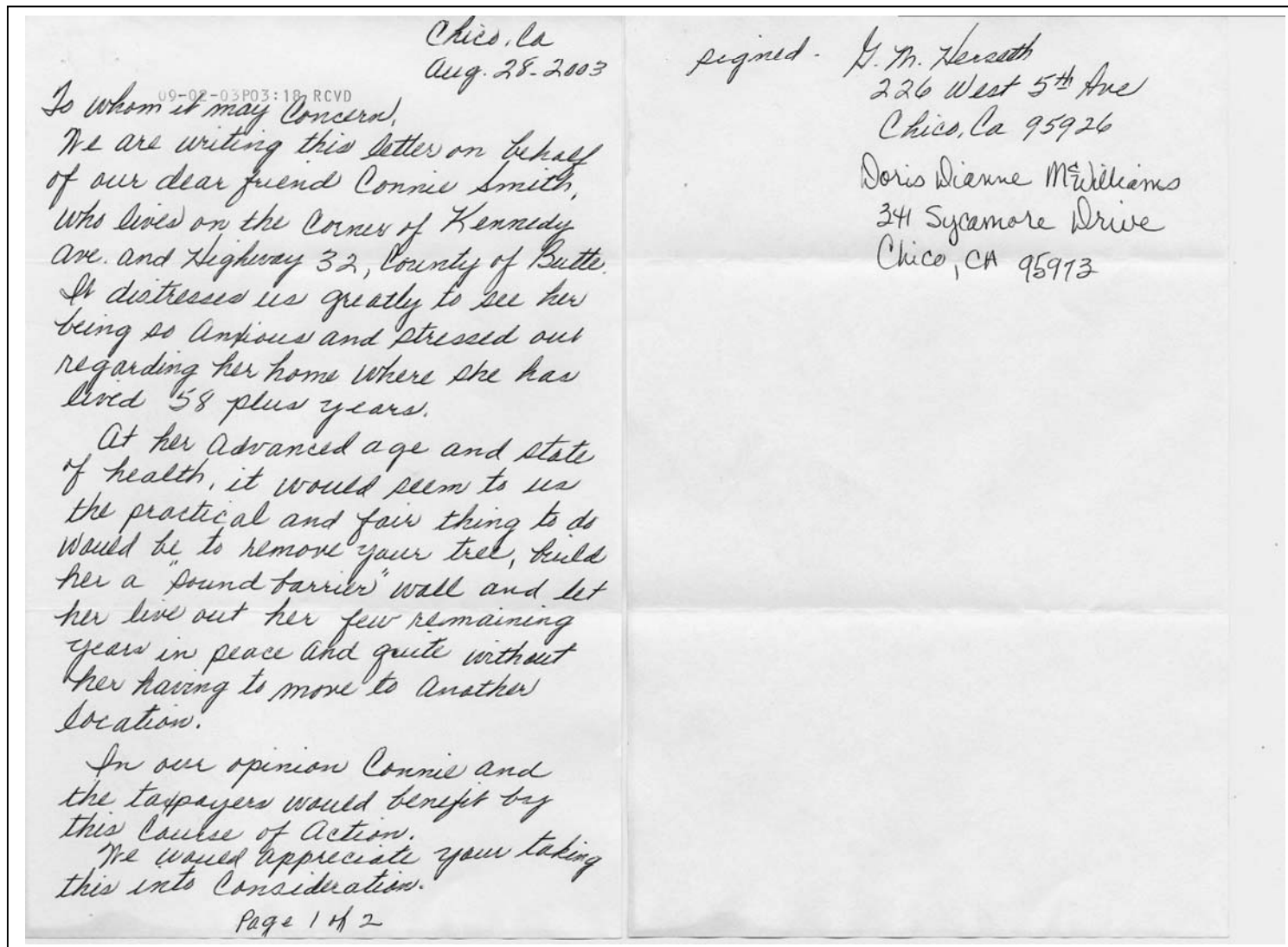
A GOOD FRIEND

DAVID L. TEETER

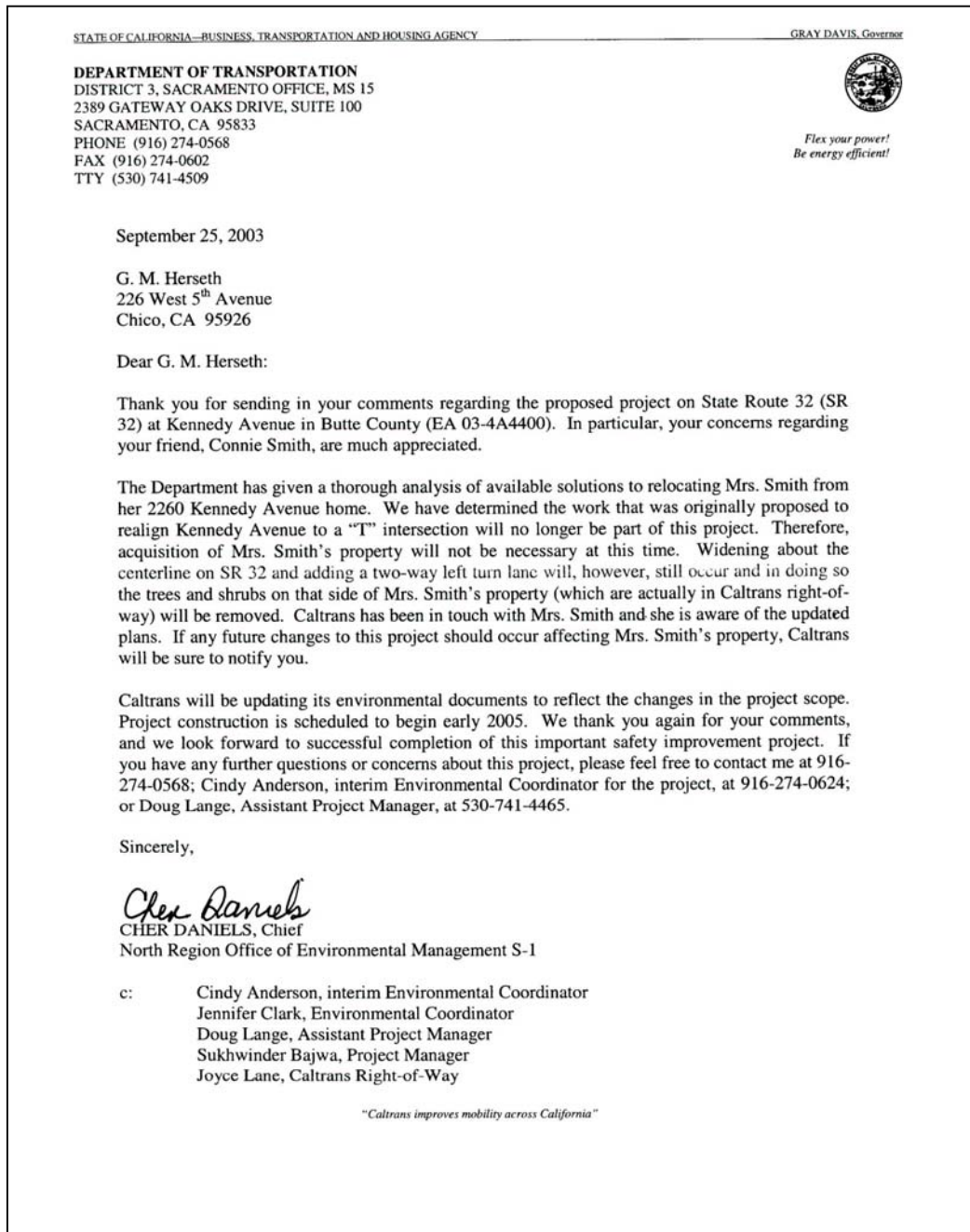
Response to commenter #4:





Commenter #5:



Response to commenter #5:



Commenter #5 (continued):

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY	GRAY DAVIS, Governor
DEPARTMENT OF TRANSPORTATION DISTRICT 3, SACRAMENTO OFFICE, MS 15 2389 GATEWAY OAKS DRIVE, SUITE 100 SACRAMENTO, CA 95833 PHONE (916) 274-0568 FAX (916) 274-0602 TTY (530) 741-4509	 <i>Flex your power! Be energy efficient!</i>
September 25, 2003	
Doris Dianne McWilliams 341 Sycamore Drive Chico, CA 95973	
Dear Ms. McWilliams:	
Thank you for sending in your comments regarding the proposed project on State Route 32 (SR 32) at Kennedy Avenue in Butte County (EA 03-4A4400). In particular, your concerns regarding your friend, Connie Smith, are much appreciated.	
The Department has given a thorough analysis of available solutions to relocating Mrs. Smith from her 2260 Kennedy Avenue home. We have determined the work that was originally proposed to realign Kennedy Avenue to a "T" intersection will no longer be part of this project. Therefore, acquisition of Mrs. Smith's property will not be necessary at this time. Widening about the centerline on SR 32 and adding a two-way left turn lane will, however, still occur and in doing so the trees and shrubs on that side of Mrs. Smith's property (which are actually in Caltrans right-of-way) will be removed. Caltrans has been in touch with Mrs. Smith and she is aware of the updated plans. If any future changes to this project should occur affecting Mrs. Smith's property, Caltrans will be sure to notify you.	
Caltrans will be updating its environmental documents to reflect the changes in the project scope. Project construction is scheduled to begin early 2005. We thank you again for your comments, and we look forward to successful completion of this important safety improvement project. If you have any further questions or concerns about this project, please feel free to contact me at 916-274-0568; Cindy Anderson, interim Environmental Coordinator for the project, at 916-274-0624; or Doug Lange, Assistant Project Manager, at 530-741-4465.	
Sincerely,	
 CHER DANIELS, Chief North Region Office of Environmental Management S-1	
c: Cindy Anderson, interim Environmental Coordinator Jennifer Clark, Environmental Coordinator Doug Lange, Assistant Project Manager Sukhwinder Bajwa, Project Manager Joyce Lane, Caltrans Right-of-Way	
<i>"Caltrans improves mobility across California"</i>	